

**Lancashire County Council Planning
Application Reference: 11/05/1584
Completion of the Heysham to M6 Link**

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**Proof of evidence:
Consistency of the Scheme with the
Development Plan**

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Evidence prepared for:

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**Consisting of:
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Table of contents

Page	
2	Summary
7	Introduction
9	Reducing the need to travel & managing travel demand
11	Promoting modal shift (freight & people)
15	Examining alternatives to road-building and making best use of existing infrastructure
18	Specific references to the Heysham-M6 Link Road
24	Protecting the countryside & valued landscapes
30	Green Infrastructure, urban fringe and recreation
33	Reducing CO2 emissions and climate change
34	Green Belt policy
37	Protecting air and water quality, and preventing noise and light pollution
38	Protecting biodiversity
40	Protecting against flood risk
41	Promoting regeneration and economic growth
44	Local Transport Plan
46	Conclusions

0. Summary

0.1. The key elements of the development plan that relate to this inquiry are as follows:-

0.2. Reducing the need to travel & managing travel demand

A key strand running through the development plan is the imperative to reduce the need to travel and to manage and reduce travel demand. However, the proposed scheme would not merely fail to contribute to this very clearly stated intention, it would actively undermine it. LCC acknowledge that the scheme would generate and induce thousands of extra car journeys every day. It would therefore lead to increased traffic growth, rather than reducing traffic growth or the need to travel. It does not contribute to managing travel demand.

0.3. Promoting modal shift (freight & people)

A second key element of the development plan is to encourage as much of the travel that is necessary to be undertaken by sustainable means. This requires a modal shift of people from car to public transport, walking and cycling, and of freight from road to rail and water. The case for this scheme has not demonstrated any way in which it would effectively promote modal shift, either for people or for freight. It would in fact have the opposite effect, encouraging car journeys and movement of freight by road.

0.4. Examining alternatives to road-building and making best use of existing infrastructure

The development plan makes it clear that additional highway capacity should only be provided as a policy of last resort. All possible solutions to transport problems should be examined in an integrated and comprehensive manner, and the most effective and sustainable solutions taken forwards. In particular, it is made clear that building new roads is neither environmentally nor economically sustainable. At no point have the transport problems that can be identified in the Lancaster area been subject to a holistic multi-modal examination, as the development plan requires. No attempt to secure the objectives of this scheme by means other than road-building has been made, nor even any attempt to assess whether this would be possible. The assumption has been made, some decades ago, that Lancaster needs a bypass. The dramatic changes in the policy context and the development plan since then have been ignored.

0.5. Specific references to the Heysham-M6 Link Road

References are made in the development plan documents to the Heysham-M6 Link Road. Notably, though, construction of a new road on this specific alignment is not endorsed in any documents that have been subject to the due process of approval. Evidence presented by ESTA and TSLM cast doubt on the capacity of this scheme to fulfil the objectives by virtue of which "the Heysham-M6 Link" is mentioned in the development plan. It has not been demonstrated that those objectives could not be achieved by means of other

measures that would be more consistent with the rest of the development plan policies.

0.6. Protecting the countryside & valued landscapes

This scheme utterly fails to respect, maintain or enhance the character and tranquillity of the landscape to the North of Lancaster. The promoters have not taken an integrated approach, or indeed any approach at all, to enhancing and conserving the landscape and natural environment, and no attempt has been made to identify, protect, maintain or enhance the distinctive features of this area. At no point has a solution that does not involve large-scale environmental damage been given serious consideration. No serious attempt has been made to seek to avoid damage to environmental assets (for example, by a thorough investigation of solutions that did not require a major highway to be constructed in open countryside), and only very inadequate gestures towards mitigation have been made.

0.7. Green Infrastructure, urban fringe and recreation

Green Infrastructure in and around towns and cities is acquiring increasing prominence in the development plan. By increasing noise, light, and air pollution, visual intrusion and impact on amenity value, this scheme would degrade the Green Infrastructure value of:-

- the canal towpath,
- the footpaths and lanes crossed or in close proximity to the road,
- the swathe of Green Belt countryside between the urban edge and the road, and
- the Green Belt countryside beyond the road for some considerable distance

It would also have an adverse impact on the recreation and sport functions of the Lancaster and Morecambe College.

0.8. Reducing CO2 emissions and climate change

Climate change has risen up the policy agenda in recent years and is now recognised as the most serious threat facing this country. This imperative is increasingly recognised in the development plan, in particular through its most recent iteration. This scheme is clearly in direct contradiction to this policy imperative, given that LCC acknowledge that it would increase carbon dioxide emissions (by at least 23,514 tonnes per year), increase traffic growth, and do nothing to promote walking, cycling and public transport.

0.9. Green Belt policy

In their Statement of Case, LCC acknowledge that this scheme constitutes inappropriate development in the Green Belt according to PPG2. Permission for inappropriate development in the Green Belt requires that exceptional circumstances exist to justify such permission. LCC have not demonstrated that any such exceptional circumstances pertain in this case

0.10. Protecting air and water quality, and preventing noise and light pollution

The development plan makes clear statements about the need to protect air and water quality and to prevent noise and light pollution. Evidence from

ESTA and TSLM demonstrates that this scheme would result in a worsening of air quality. LCC acknowledge in their Appraisal Summary Table that the scheme would have an adverse impact on the water environment. LCC assess the noise impacts as being moderately beneficial, although their description of qualitative impacts casts doubt on this, and ESTA challenges this claim. It is not questioned that a fully-lit dual carriageway featuring high-level bridges and embankments cutting through open countryside would increase light pollution.

0.11. Protecting biodiversity

LCC acknowledge that this scheme would lead to at least a slight adverse impact on biodiversity, although this assessment may be on the generous side. The development plan requires high levels of protection for biodiversity, which this scheme proposal fails to give sufficient weight to. The proposal does not give due significance to Biodiversity Action Plan targets, or take steps to ensure no net loss of biodiversity resources. It would have negative effects on a number of protected species and significant habitats.

0.12. Protecting against flood risk

Flood risk has risen on the agenda recently with the increased concern about the impacts of climate change. While we acknowledge that the Environment Agency have withdrawn their objection to the scheme with regard to flood risk, recent measurements taken by Halton residents indicate that Halcrow's flood risk assessment may not be robust, and that a more precautionary approach should be adopted. The development plan supports this concern and explicitly diverts development away from areas of high flood risk.

0.13. Promoting regeneration and economic growth

The scheme's promoters have claimed that completion of the Heysham-M6 Link Road would support the local economy and have significant economic regeneration benefits. This would be consistent with the development plan. However, the evidence presented by TSLM casts considerable doubt on the evidence base for and veracity of these claims.

0.14. In this proof I examine each of these in turn, and indicate where the scheme deviates from, undermines, or contradicts the development plan, in order to demonstrate that although "The Heysham-M6 Link" is mentioned by name in each development plan document, it can be seen that the vast weight of policy in the development plan is not consistent with the construction of this scheme.

0.15. The overwhelming difficulty that this scheme faces is that no comprehensive study of alternatives to road building has been conducted. No attempt has been made to take a holistic view, without pre-formed modal assumptions about solutions, of how to achieve the scheme objectives or to solve the transport problems of Lancaster, Morecambe and Heysham.

0.16. Therefore no robust case of identified need for the road can be presented. No claims that the need for or benefits of the scheme outweigh

the many other policy imperatives can be made. Without being able to demonstrate that the scheme objectives cannot be delivered in any other way, or in a more sustainable way, such claims are impossible to substantiate. Furthermore, TSLM's evidence indicates that the proposed road is unlikely to achieve the majority of its own stated objectives.

- 0.17. In every particular, other than the specific references to a "Heysham-M6 Link", it is contrary to and undermines the intentions, aims and policies of the development plan. Given the weight of policy at all levels of the development plan stacked against this scheme, the lack of evidence that it will deliver its objectives, and the failure to examine more sustainable alternatives to the scheme that could effectively deliver those objectives, it should be considered inconsistent with the development plan.

1. Introduction

- 1.1. My name is Andy Yuille. I am the North West Regional Policy Officer for the Campaign to Protect Rural England (CPRE). Although I am not a professional planner, CPRE have a long history of close engagement with the planning system and I am able to draw on their 80 years of experience and expertise.
- 1.2. CPRE exists to promote the beauty, tranquillity and diversity of rural England by encouraging the sustainable use of land and other natural resources in town and country. We promote positive solutions for the long-term future of the countryside to ensure that change values the natural and built environment. We have 59,000 supporters, a branch in every county, nine regional groups, over 200 local groups and a national office in central London. Our interest in this Inquiry is part of our wider aim to promote a sustainable future for the countryside.
- 1.3. I have the confidence of the leading environmental non-governmental organisations in the North West to speak on planning matters: I represent North West Environment Link on the North West Regional Planning Group and the North West Regional Transport Group (both advisory groups to the Regional Assembly Executive Board), as well as on the North West Regional Assembly (NWRA) itself.
- 1.4. I was a key participant in the Examination in Public (EiP) into the draft North West Regional Spatial Strategy, submitting evidence on every 'Matter' and participating in over 90% of the sessions. I have analysed the emerging draft Lancaster Local Development Framework Core Strategy on behalf of the Lancaster District Sustainability Partnership, one of the 'Building Blocks' of the Local Strategic Partnership.
- 1.5. For the purpose of the public inquiry into the completion of the Heysham to M6 Link Road I am representing an alliance of national, regional and sub-regional environmental organisations which have come together and called themselves the Environmental and Sustainable Transport Alliance (ESTA).
- 1.6. In this proof of evidence I will examine whether the proposed Heysham-M6 Link Road (subsequently referred to as the scheme) is consistent with the development plan for the area, which includes:-
 - The existing Regional Spatial Strategy, RPG13 (I will refer to this document as RPG13 throughout in order to avoid confusion)
 - The emerging draft Regional Spatial Strategy (RSS)
 - The Examination in Public Panel Report on the draft NW RSS
 - The Joint Lancashire Structure Plan
 - The Lancaster District Local Plan
 - The emerging draft Local Development Framework Core Strategy

I will also highlight some of the issues raised in the Local Transport Plan.

- 1.7. It is evident that the conclusions and recommendations of the EiP Panel Report, alongside the draft RSS¹, are the most up-to-date, and therefore robust, expression of the policy intent of the development plan. These represent the considered deliberations of an independent, professional Panel, based on the most recent opportunity for local authorities and other key stakeholders in the region to put forward their views on the direction of policy. They are the result of a rigorous testing and scrutiny process, and will form the basis for the Secretary of State's modifications and the final replacement RSS.
- 1.8. This opinion is further bolstered by the North West Regional Assembly (NWRA)'s support and/or acceptance of all the recommendations in the Panel Report relevant to this Inquiry, with the sole exception of Recommendation 7.11, which I refer to in paragraph 5.9 of this proof.
- 1.9. This matter of being the most up-to-date and recently examined iteration of policy is of particular significance with regard to issues such as climate change, where the evidence base and Government policy are developing rapidly. More up-to-date and recently tested, and therefore better informed, iterations of policy should be given greater weight.
- 1.10. The key elements of the development plan that relate to this inquiry are as follows:-
 - Reducing the need to travel & managing travel demand
 - Promoting modal shift (freight & people)
 - Examining alternatives to road-building and making best use of existing infrastructure
 - Specific references to the Heysham-M6 Link Road
 - Protecting the countryside & valued landscapes
 - Green Infrastructure, urban fringe and recreation
 - Reducing CO2 emissions and climate change

¹ In preparation for the Examination in Public, the Assembly submitted a briefing paper (Briefing Paper 20), in which they proposed a series of wording changes to draft RSS. This is relevant to this case because they proposed a significant re-write of Chapter 10 – Transport in the North West. This newer version was accepted by the Panel and participants, and formed the basis of debate at the EiP. In referring to this chapter of the RSS, I shall be referring to this latest version, given its widespread acceptance and the Panel's recommendation that, subject to their further suggested revisions, it should replace the existing chapter in draft RSS.

- Green Belt policy
- Protecting air and water quality, and preventing noise and light pollution
- Protecting biodiversity
- Protecting against flood risk
- Promoting regeneration and economic growth

1.11. In this proof I shall examine each of these in turn, and indicate where the scheme deviates from, undermines, or contradicts the development plan. In order to avoid unnecessary duplication, I shall not enter into detailed argument or present detailed evidence to demonstrate this, where such evidence will be provided elsewhere in the ESTA evidence or in the evidence of Transport Solutions for Lancaster and Morecambe (TSLM). The purpose of this proof is to highlight the many ways in which this scheme is not consistent with the development plan, rather than to examine in detail those inconsistencies.

2. Reducing the need to travel & managing travel demand

- 2.1. A key strand running through the development plan is the imperative to reduce the need to travel and to manage and reduce travel demand. The clearest articulations of this are as follows:
- 2.2. The spatial development principle proposed by Government Office for the North West (GONW) at the RSS EiP, and accepted by the Panel in their report:

“Policy DP5: Reduce the Need to Travel and Manage Travel Demand, Encourage Accessibility, and Seek to Marry Opportunity and Need”, which states that

“A shift to more sustainable modes of transport for both people and freight should be secured, and an integrated approach to managing travel demand should be encouraged.”

- 2.3. The Assembly’s latest version of RSS Policy RT2 is entitled *“Managing Travel Demand”*, and requires authorities to;
- *“[Make] effective provision for pedestrians and cyclists to minimise the need to travel by private car.*
 - *Seek to reduce private car use through the introduction of ‘smarter choices’ and other incentives to change travel behaviour which should*

be developed alongside public transport, cycling and pedestrian network and service improvements.

- *Consider the effective reallocation of road space in favour of public transport, pedestrians and cyclists alongside parking charges, enforcement and provision and other fiscal measures, including road user charging.”*

It also states that:

“Measures to discourage car use should be introduced commensurate with public transport improvements and the development of a comprehensive approach to travel planning.”

However, the Panel recommends amending this sentence to read *“Public transport improvements may accompany measures to discourage car use, which should be introduced through the development of a comprehensive approach to travel planning”*, in order to make it clear that public transport improvements are not a prerequisite of demand management measures, and that such measures should be pursued as a priority and in an integrated fashion.

2.4. Draft RSS Policy DP1, which states that all new development should:-

“contribute towards reducing the need to travel and assist people to meet their needs locally.”

2.5. Lancaster District Local Plan (LDLP), para 1.1.17, which states that the Plan reflects certain elements of sustainable development, including *“Minimising the demand for travel”*, and goes on in the introduction to Chapter 4 to state that

“The Local Plan is based on the assumption that the promotion of public transport, walking and cycling, coupled with appropriate demand management measures, will gradually persuade people to use their cars less, particularly for local journeys within the main urban area.”

And that

“The City Council aims to

- *limit car journeys in Lancaster centre to 1991 levels;*
- *increase the proportion of people commuting by cycle to 10% and by bus to 12%;*
- *provide for cyclists, pedestrians and buses in new development.”*

2.6. LDLP’s statement of policy (Policy T1) is that:-

“The City Council will work with Lancashire County Council and other agencies to prepare and implement a programme to manage the demand for car travel, make the most efficient use possible of existing transport

infrastructure, and maximise opportunities to use means of transport other than the car.”

2.7. The emerging LDF makes frequent references to ensuring that transport is as sustainable as possible, and states (Policy EC1) that:-

“The Council will minimise the need to travel by car”

2.8. However, the proposed scheme would not merely fail to contribute to this very clear intention of the development plan, it would actively undermine it. The suggestion that the provision of significant additional highway capacity would facilitate reducing the need to travel or managing travel demand is simply absurd.

2.9. LCC acknowledge that the scheme would generate and induce thousands of extra car journeys every day. It would therefore lead to increased traffic growth, rather than reducing traffic growth. As well as facilitating and encouraging commuting both into and out of Morecambe and Heysham, it would also encourage car journeys between Morecambe and Heysham and the University and the proposed new Science Park to be taken by car, making inappropriate use of the M6 between junctions 33 and 34.

2.10. The scheme would increase the propensity to travel by private car, not reduce or discourage private car use, thereby militating directly against the intention of the development plan. It would increase travel demand, not help to manage it and certainly not to minimise it. In particular it would do nothing to limit the number of car journeys in Lancaster city centre, as the proposed route of the scheme would not have any impact on journeys through Lancaster city centre.

2.11. The scheme would also not play any significant role in facilitating other measures associated with demand management, as I shall demonstrate in the following section; ie, it is not part of an integrated or comprehensive approach to managing travel demand or travel planning. None of the proposals that have been put forward alongside the scheme (for a Park and Ride project and other unspecified improvements to sustainable transport modes) are dependent on it in any way. All could be undertaken quite independently of the scheme: it is not a necessary component of managing demand and reducing the need to travel. In fact, to the extent that the resources that have and will be dedicated to this scheme could have been allocated to a genuinely integrated approach to managing travel demand in the District, the scheme is an active hindrance to such an integrated approach.

3. Promoting modal shift (freight & people)

3.1. A second key element of the development plan, complementing reducing the need to travel and managing travel demand, is to encourage as much of the travel that is necessary to be undertaken by sustainable means.

This requires a modal shift of people from car to public transport, walking and cycling, and of freight from road to rail and water.

3.2. Many of the policy statements and intentions noted above also address this aim, as they are fundamentally connected in practice. Further, sometimes more explicit, articulations of this aim can be found throughout the development plan, as follows, firstly with regard to personal transport:-

3.3. The spatial development principle *DP2: Promote Sustainable Communities*, proposed by GONW at the RSS EiP, and accepted by the Panel in their report, includes:

“Fostering sustainable relationships between homes, workplaces and other concentrations of regularly used services and facilities and the means of travel between them”;

3.4. The Assembly’s latest version of RSS Policy RT8 (A Regional Framework for Walking and Cycling) states that:-

“Local authorities should ensure that proposals and schemes for new developments incorporate high quality pedestrian and cycle facilities, including secure cycle parking...”

...When considering improvements to the region’s transport networks, scheme promoters should take the opportunity to enhance walking and cycling routes wherever possible.”

The supporting text goes on to state that:-

“10.30 Better provision for pedestrians and cyclists can contribute towards reducing car dependency and assist with the achievement of wider regional objectives, including the development of sustainable communities, enhancing accessibility for all to a range of facilities, improving community health and supporting tourism. The introduction of measures such as pedestrianisation, Home Zones, Quiet Lanes and segregated cycleways, together with the more effective management of traffic (Policy RT4), can have a significant impact on the walking and cycling experience.”

3.5. The local plan states that (para. 4.3.20):-

“Future travel growth in the District cannot be met by a corresponding increase in car use. The future development and economic prosperity of the District will involve a marked increase in bus use.”

3.6. This scheme is intended mainly as a route for long-distance commuting and road freight. It is not intended that it will be used by buses. LCC have claimed that completing this scheme would enable existing road space to be reallocated to buses, cyclists and pedestrians. However, these claims are not sound: in some cases the road space could be reallocated with or without this scheme, in others the road space is physically not available to

be reallocated due to the design of the roads, and this scheme would have no impact on capacity for re-allocation in those cases. In such cases reallocation would require on-line improvements to be made.

- 3.7. The scheme does propose a cycle/walkway running along the length of the new road. But the development plan clearly requires high quality provision for pedestrians and cyclists. If the aim is to encourage more people to walk and cycle, then those facilities must be attractive and feel safe. A path running alongside a dual carriageway that is largely intended for HGVs will not provide an attractive or pleasant environment to travel in. Noise levels would be high, air quality low, there would be a buffeting impact from cars and lorries passing at high speeds. In short, this is not a proposal that would in any way facilitate an increase in walking or cycling.
- 3.8. A proposal for a Park and Ride system is also included as part of this scheme. However, it is not dependent on the scheme – a Park and Ride site could be developed alongside other measures to encourage modal shift and manage demand, with no need for new highway capacity between Heysham and the M6. That said, it is crucial that park and ride provision is made in locations where different modes can interchange, where they do not encourage long-distance commuting and preferably on brownfield land.
- 3.9. Lancaster City Council has now commissioned Faber-Maunsell to examine how the transport problems of Lancaster and Morecambe can be addressed in an integrated, multi-modal fashion – but only after this road scheme is built out. A genuinely integrated multi-modal approach that had the intent of reducing the need to travel, managing travel demand, and facilitating modal shift, would be to address the specific transport issues of the area as a whole from the start, rather than to assume a road-based solution first and then to examine other options only after making a commitment to building a new road.
- 3.10. Improvements have been made to public transport, and to walking and cycling infrastructure; these are welcome and we trust that they will continue. But they have not been delivered as a comprehensive, integrated solution to the specific transport problems of the Lancaster District.
- 3.11. This scheme has six objectives, most of which it would not deliver, as will be demonstrated by the evidence presented to the Inspector by ESTA and TSLM. No attempt has been made by LCC to achieve those objectives through an integrated series of smart measures and improvements to the public transport system to manage travel demand and encourage modal shift. This should have been one discrete option amongst many for tackling the specific transport problems in the Lancaster District. Failure to do this equals failure to follow government guidelines and failure to ensure best value, most effective use of resources and most sustainable and satisfactory outcomes, as well as failure to comply with the development plan.

3.12. The development plan is equally explicit in its treatment of freight transport.

3.13. The Panel state unequivocally in their report that:-

“We are keen that the maximum amount of freight should switch from road to rail.” (para 7.69)

3.14. The Assembly’s latest version of policy RT6 (Ports) states that:-

“Land-side surface access plans should be developed to accommodate existing and projected freight and passenger traffic through the Mersey ports (Liverpool and Birkenhead), the Manchester Ship Canal, Heysham and Fleetwood. There should be a presumption in favour of making best use of existing infrastructure where possible, and opportunities to secure the transfer of port-related freight from road to rail or water should be explored.”

The supporting text goes on to state that:-

“10.24 Improvements that include measures to assist the transfer of port traffic from road to rail and/or water will be necessary to maintain the region’s continued economic competitiveness. Land-side surface access strategies should include proposals that maximise opportunities for shifting traffic away from road and onto rail and water, and to minimise the adverse impact of heavy goods vehicles on local communities and the natural environment.”

3.15. RPG13 Policy T6 states that,

“Where growth in port-related road traffic is likely to compromise the Region’s strategic and local highway networks, there should be a presumption in favour of making the best use of existing infrastructure where possible, and all available options to secure modal transfer should be explored.”

3.16. The Local Plan states that (para. 4.3.19):-

“The City Council is strongly in favour of measures which would increase the proportion of freight carried by rail through the District. It considers that there is considerable potential in making greater use of the branch line to Morecambe and Heysham and, in particular, of establishing a rail freight terminal at the Port of Heysham. This potential should not be prejudiced by development proposals.

The City Council will support proposals aimed at increasing the amount of freight moved by rail through the district”

- 3.17. However, in direct contravention of these policy intentions, this scheme is explicitly intended to make it easier, quicker and cheaper for road-based freight to move to and from the port. It is quite clear that the opportunity to maximize, or even significantly increase, the transfer of freight from road to rail has not been taken up. This scheme ignores the clear policy imperative of the development plan, and once again not only fails to contribute to it, but actively undermines it. This scheme would actually facilitate reverse modal shift, ie from rail to road, by making road freight transport a more attractive option. There are no corresponding plans, and certainly none that are dependent on this scheme, which would facilitate modal shift of freight off the road.
- 3.18. The scheme fails to follow further RSS objectives relating to Transport Interchange, Policy Statement T7 in particular. The promotion of Quality Freight Partnerships is not pursued in Lancaster for this critical transport mode and misses the opportunity to support national policies for sustainable transport. LCC has 2 Quality Freight Partnerships operating in other areas.
- 3.19. It is also the claim of LCC (although this claim is disputed) that the scheme would facilitate the development of employment land in Morecambe by improving road access to the motorway. This claim must be taken as implying an intention to see a greater volume of freight being transported by road, again undermining the explicitly stated intentions and policies of the development plan.
- 3.20. The case for this scheme has not demonstrated any way in which it would effectively promote modal shift, either for people or for freight. It would in fact have the opposite effect, encouraging car journeys and movement of freight by road. It is therefore not consistent with the development plan in this regard.

4. Examining alternatives to road-building and making best use of existing infrastructure

- 4.1. In order to facilitate managing travel demand, reducing traffic growth, and promoting modal shift, the development plan makes it clear that additional highway capacity should only be provided as a policy of last resort. All possible solutions to transport problems should be examined in an integrated and comprehensive manner, and the most effective and sustainable solutions taken forwards. In particular, it is made clear that building new roads is neither environmentally nor economically sustainable.
- 4.2. The Assembly's latest version of RSS Policy RT1 (Integrated Transport Networks in the North West) states that:

“Transport problems and issues in the region should be examined on a multi-modal basis to develop sustainable, integrated and accessible solutions for all users”

The supporting text goes on to state that

“10.4 It is now widely accepted that constructing new roads to accommodate future traffic growth is neither environmentally nor economically sustainable. The emphasis should therefore be on increasing the role of public transport together with making best use of existing highway infrastructure through the development of effective strategies for network and demand management.”

This essence of this statement is repeated throughout the development plan documents.

- 4.3. The Assembly’s latest version of RSS Policy RT4 (management and Maintenance of the Highway network) states that:-

*The Highways Agency and local highway authorities should make best use of existing infrastructure through the development of Route Management Plans for all routes in the Regional Highway Network. **Proposals for major highway improvements should only be included following an examination of all practical alternative solutions to a particular problem.***” (my emphasis)

This policy was fully supported by the Panel in their report.

- 4.4. The RSS EiP Panel Report further states (para 7.84)

“We consider that the RTS objectives should imply an increasing shift away from schemes that increase highway capacity, toward schemes that will secure increased use of the more sustainable modes of transport.”

- 4.5. In their justification for recommending amendments to Policy RT9 (Regional Priorities for transport Investment and management), the Panel state (para 7.76)

“...the priorities listed in Policy RT9 make no reference to securing a shift toward more sustainable modes of transport; or reducing the adverse environmental impacts of transport; or improving access; or easing congestion. We consider these to be important factors, which should guide future investment decisions.”

- 4.6. RPG13 Policy SD9 calls for

“effective multi-modal solutions to the conveyance of goods, people and services,”

While Policy T1 states that

“Transport issues in the Region should be examined on a multi-modal basis to develop, where appropriate, sustainable and integrated solutions for all users, in accordance with the priorities of the Spatial Development Framework.

Transport network and service providers should seek to make the best use of existing networks and utilise developments in intelligent transport systems and information technology. The promotion of quality public transport partnerships and initiatives such as through ticketing should be fully examined.

And T3 states that

“Best use should be made of existing infrastructure, with new road construction only being considered once a thorough examination of all possible solutions to a particular problem has taken place.”

4.7. The Local Plan states that:

“4.1.10 The Council's strategy must make the most efficient use of existing transport infrastructure. This includes the District's road network, the local rail network, car parks and the District's cycle and pedestrian networks...”

4.1.12 These measures should maximise the use of alternatives to the car whilst providing for reasonable levels of vehicular access within the District's urban areas.”

And its headline transport policy, T1, states that

“The City Council will work with Lancashire County Council and other agencies to prepare and implement a programme to manage the demand for car travel, make the most efficient use possible of existing transport infrastructure, and maximise opportunities to use means of transport other than the car.”

4.8. In short, it is clear that the development plan requires a comprehensive examination of a wide range of multi-modal solutions to specified transport problems, with a view, wherever possible, to implementing non-road building solutions that will reduce traffic growth, promote modal shift and manage travel demand. This scheme fails to comply with this imperative.

4.9. In the development of this scheme, no alternatives to road building have been seriously assessed. In the current application, the only two real options presented are the preferred option (Northern route), and the “next-best option” (the Western route, which has been effectively ruled out by LCC as unbuildable, and therefore hardly qualifies as being “next best”). The “low-cost alternative” is a curious combination of on-line improvements whose cost is likely to be mainly taken up by changes to

motorway slip-roads, which are not LCC's responsibility. In any case, this "alternative" has never been properly worked up or consulted on. These three options between them in no way represent an integrated, comprehensive examination of problems and solutions on a multi-modal basis.

- 4.10. At no point have the transport problems that can be identified in the Lancaster area been subject to a holistic multi-modal examination, as the development plan requires. No attempt to secure the objectives of this scheme by means other than road-building has been made, nor even any attempt to assess whether this would be possible. The assumption has been made, some decades ago, that Lancaster needs a bypass. The dramatic changes in the policy context and the development plan since then have been ignored.
- 4.11. A road – first following a Western alignment, and now a Northern one – has always been assumed as the first response to Lancaster and Morecambe's transport problems, in direct contravention of the development plan. The Faber-Maunsell study recently commissioned by Lancaster City Council to examine transport issues on a multi-modal basis is based on the assumption that this road will be built – ie providing additional highway capacity is the first response, and other solutions are being examined only after a commitment has been made to build the new road. This is the direct opposite of the approach required by the development plan.
- 4.12. Furthermore, RPG13 (policy DP1), the draft RSS (policy DP1), the EiP Panel Report (Recommendation 3.6 – Policy DP4) and the Structure Plan (Policy 1) require the most effective use of existing resources and infrastructure. The commissioning of the Faber-Maunsell study is in effect an acknowledgement that existing infrastructure is not being used as effectively as possible in pursuit of the aims of the development plan. The development plan requires that best use is made of the existing highway, public transport, walking and cycling infrastructure before any new road construction is even considered. This is not the case in this instance.

5. Specific references to Heysham-M6 Link

- 5.1. There are specific references made in a number of development plan documents. Notably, though, construction of a new road on this specific alignment is not endorsed in any documents that have been subject to the due process of approval.
- 5.2. RPG13 refers to "*an improved road link between Heysham and the M6*" in Table 10.2 (Regionally Significant Transport Proposals). However, this does not automatically support the currently proposed scheme. A range of other measures, including online improvements and an integrated suite of smart measures, public transport improvements and improvements to walking and cycling infrastructure could equally well provide for an

improved road link between Heysham and the M6, and would, moreover, be significantly more consistent with the rest of the development plan.

5.3. RPG13 Policy T10 (Regional Priorities for Transport Investment and Management) sets out the regional priorities for transport investment, in order of importance, as:-

- *“maintaining existing networks;*
- *making best use of the networks through measures to improve;*
 - *safety;*
 - *conditions for pedestrians and cyclists;*
 - *public transport passenger services;*
 - *more sustainable movement of freight;*
 - *global and local environmental conditions; and*
- *investment in major transport infrastructure schemes of regional significance focused on the following key areas:*
 - *high-quality public transport;*
 - *key transport corridors; and*
 - *gateways and interchanges.”*

This scheme would undermine a number of higher priorities (eg more sustainable movement of freight), while only being eligible for consideration under the least important priority, which, as already noted, could well be better delivered by more sustainable interventions.

5.4. Draft RSS refers to “*Completion of Heysham to M6 Link Road*” in Table 10.2b (Transport Investment Priorities: Schemes within the RFA programme). However, once again, no specific alignment is endorsed and it would be more consistent with the aims, intentions and policies of the development plan to examine and take forward other options and alternatives that could secure the stated objectives of the scheme, rather than treating this as an automatic endorsement of a new road. “Completing the link” could be achieved through online improvements and a suite of other measures. At the very least, a thorough examination of such alternatives is necessary before taking forward the current scheme.

5.5. Other elements of this table with reference to this scheme are in need of amendment in any case. The table states that the cost of the scheme is £92.6 million, whereas the cost, including optimism bias, has now increased to £156 million. The table also indicates Regional Transport Strategy objectives that the scheme would contribute to. These include “reduce the wider environmental, social, health and quality of life impacts of road transport and infrastructure” and “contribute towards the aims and objectives of the Regional Freight Strategy, and in particular, facilitate opportunities for increasing the movement of freight by rail or on water.” We have already established that this scheme will not facilitate opportunities for moving freight by non-road modes. Evidence from TSLM and ESTA will demonstrate that it would not contribute to reducing the adverse impacts of road transport and infrastructure.

5.6. The EiP Panel Report does not recommend that this scheme, or any other, is withdrawn from RSS. However, the Panel make it clear that regionally significant transport proposals “*should reflect the general objectives of the RSS/RTS*” (para 7.76). They recommend (Recommendation 7.3) that the RTS objectives be identified as:-

- *“maintain existing transport infrastructure in good order;*
- *tackle congestion and overcrowding in the region’s main movement corridors (particularly the routes into the main centres in the Manchester, Liverpool and Central Lancashire City Regions; on the strategic north-south corridor south of Preston; and on east west routes between the Liverpool, Manchester and Leeds City Regions).*
- *secure a shift towards the use of more sustainable modes of transport;*
- *secure safe and efficient access between residential areas and key destinations, including centres of employment, schools, shops and other services;*
- *improve surface access and interchange arrangements at the key national and regional gateways (as defined in Appendix RT3.1);*
- *reduce the adverse impacts of transport, in terms of safety hazards, environmental degradation, residential amenity and social exclusion;*
- *integrate the management and planning of transport systems, so as to achieve these outcomes.”*

This scheme does not contribute effectively to any of these objectives. In paras 7.9-7.15 the Panel clarify these objectives in more detail, and in relation to the only objective which at first sight this scheme appears to deliver (“*improve surface access and interchange arrangements at the key national and regional gateways*”), they state that

*“the RTS should aim to improve surface access for both passengers and goods, **by sustainable modes**, to the region’s key transport gateways.”*
(para 7.13, my emphasis)

This scheme either undermines, hinders or ignores the delivery of the other objectives.

5.7. It also fails to take account of the spatial development principles that the Panel recommends underpin the RSS and all other plans, strategies, proposals, schemes and investment decisions. The Panel specifically draw attention to the fact that that the RTS objectives must be explicitly underpinned by the spatial development principles (Recommendation 7.3; para 7.6), which consist of:-

- *“promoting sustainable communities;*
- *promoting sustainable economic development;*
- *making the best use of existing resources and infrastructure;*
- *managing travel demand and reducing the need to travel; increasing accessibility, and marrying opportunity and need;*
- *promoting environmental quality;*

- *safeguarding rural areas; and*
- *reducing emissions.”*

5.8. Crucially, the Panel Report at no point endorses this scheme. It does devote one paragraph to it:

“7.70 Road access to the Port of Heysham is by means of an unsatisfactory route that passes through the urban area of Lancaster to provide a link to the M6, with adverse effects on congestion and amenity. The completion of a new link road is included in the RFA Programme, but this has yet to pass through the requisite statutory procedures.”

This paragraph should be compared with the paragraph dealing with the approaches to the Port of Liverpool:-

“7.68 We were told of traffic congestion on the approaches to the Port of Liverpool, particularly on the A5036T. We consider that proposed improvements to this route would help tackle congestion, improve access to a gateway of national importance, and reduce adverse environmental impacts. A scheme is within the Regional Funding Allocation (RFA) Programme, with a likely start date of 2015/16. It should be given a high priority.”

The Panel clearly felt able to endorse and give weight to certain schemes, but chose not to in the case of the Heysham-M6 Link Road. It has not been demonstrated that a new bypass is necessary in order to make the route to the port satisfactory: other options and alternatives must be fully examined first according to the development plan.

5.9. The Panel report also recommends withdrawing endorsement, and therefore the weight of policy, from the list of schemes identified in Tables 10.2a-e, by amending the wording of Policy RT9 (Priorities for Transport Management and Investment) as follows:

“The general priorities for transport investment and management will be determined in accordance with the RSS/RTS objectives. Schemes for which funding has been allocated, and those that are under investigation or proposed for investigation, are listed in Table 10.2 and shown on the sub-regional diagrams in Part 4 of the RSS.” (Recommendation 7.11)

The schemes in the tables are thus to be presented merely as those which, as a matter of fact, have had funding allocated to them, are under investigation, or are proposed for investigation. The Panel do not intend that the RSS should lend the weight of policy to the claims made for the schemes *en bloc*.

It is therefore clear that it would be consistent with the development plan that alternatives to the schemes in those tables should be investigated, where those alternatives are more consistent with the plan. Conversely, it would be inconsistent with the plan to continue to pursue schemes that are

identified in the tables, but are otherwise inconsistent with the development plan, in particular the objectives and principles of RSS/RTS.

- 5.10. Finally with regard to the Panel Report in this section, it is worth noting their comment on the prioritisation process, which is particularly relevant in this case:-

“7.82 We note that the criteria upon which the prioritisations were based were weighted in favour of economic (rather than social or environmental) factors. We were told that this had little effect on the outcome. Nevertheless, we consider that it ran counter to the principles of sustainable development. We consider it to be highly questionable that an economic criterion, such as “will the scheme improve the perceived image of the locality?” should have been given twice the weight of an environmental criterion, such as “will the scheme limit CO2 emissions and support efforts to combat global warming?”

- 5.11. The Structure Plan includes “invest in Heysham-M6 road link” as one of its priorities for North Lancashire (p 15), but again, does not here explicitly support a Northern route alignment or indeed even the construction of a new road as opposed to online improvements and other measures that would equally (or better) serve “to improve accessibility, reduce traffic congestion and assist urban regeneration and economic development.”

Policy 8 includes the Heysham-M6 link as a priority, and para 6.2.11 implies, but does not explicitly state, that this will involve the construction of a new road. Nevertheless, any scheme which could

“improv[e] communications between Morecambe and Heysham and the M6 Motorway, including improved access to the Port of Heysham...remove a significant volume of traffic from the River Lune bridges in Lancaster and create opportunities to enhance provision for pedestrians, cyclists and public transport in the centre of this historic city” (para 6.2.11)

would be consistent with the plan, and other non-road building options would also be consistent with the rest of the development plan, which this scheme is not.

Para 6.2.11 also states that the route would be determined through Environmental Impact Assessment process. As evidence from TSLM and ESTA will demonstrate, this process was inadequate, but in any case, this policy does not lend support to this particular road alignment.

Furthermore, para 6.2.8 states that:

“These priorities are expected to deliver significant improvements to road safety and environmental quality and help economic development.”

Evidence presented by ESTA and TSLM will demonstrate that this is not the case for this scheme.

5.12. The Local Plan states that “*The City Council supports the completion of the Heysham-M6 link road as a matter of priority*” (end of section 4.2) and notes that it is included in the Structure Plan (para 4.2.1), but that no route is specified in that Plan (para 4.2.2). Therefore no endorsement is given to this particular scheme.

Paras 4.2.3 to 4.2.9 detail the history of the Heysham-M6 link road, including the fact that the Northern route was initially rejected, and the Western route preferred. It was only when the Western route was rejected as “unbuildable” that the Northern route became preferred. This makes a mockery of LCC’s claim that the Western route is the “next best option” to the Northern route.

5.13. The emerging draft Local Development Framework Core Strategy does identify a Northern route for the Heysham-M6 link road. However, at the time of writing this proof, the draft is still out for public consultation, and ESTA are aware that there is significant objection to the identification of this route in this document. The draft Core Strategy will not have been subject to independent examination by the time the Public Inquiry into the Heysham-M6 link road is completed, and it therefore cannot be afforded a great deal of weight at the present time, particularly given the weight of policy throughout the rest of the development plan that indicates that this route is not appropriate.

5.14. The emerging draft Local Development Framework Core Strategy states that:-

“6.21 The City Council supports the [Heysham-M6] link road subject to the following issues being addressed:

- *The scheme should be delivered in connection with a full range of sustainable traffic initiatives to avoid the released road space being filled by private vehicular traffic;*
- *The scheme should also include provision for park and ride facilities to the north of the City;*
- *Consideration be given to measures to reduce construction noise; and*
- *All HGV’s should be routed along the link once it is constructed.”*

However, to be consistent with the higher levels of the development plan, as set out in the sections above, this scheme should only be considered for delivery *after* the full examination of other sustainable transport solutions on a multi-modal basis, rather than merely “in connection with a full range of sustainable traffic initiatives”. This demonstrates the fact that the a priori assumption has been made that a new road is necessary, without examining and testing more sustainable alternatives, as the development plan requires.

5.15. The draft LDF also states (para 6.23) that

“...the Council and its partners will continue to implement measures to minimise the environmental impact of traffic, maximise use of non-car modes including public transport, bike and pedestrian networks and to manage car parking.”

Welcome though these measures may be, they are not being implemented in the kind of comprehensive manner required by the higher levels of the development plan. A more consistent and sustainable approach would be to identify transport problems and objectives specific to the Lancaster area (for example, the objectives of the scheme currently under consideration), and then to develop a comprehensive, multi-modal strategy to tackle them, with a focus on managing demand, reducing traffic growth, reducing the need to travel, and promoting modal shift. Only after this process has been completed should any consideration be given to whether there is a need to construct a new road. Without this process, it is impossible to present a sound and robust case to identify the need for a new road, as the alternative solutions that may achieve the scheme objectives and therefore obviate the need for a road, in line with Government guidance and the development plan, have not been adequately explored.

6. Protecting the countryside & valued landscapes

6.1. The development plan has a major focus on protecting the countryside and valued landscapes. This policy intention is clearly expressed at all levels of the development plan, as follows:-

6.2. The Panel Report recommends that the following be included as spatial development principles that should underpin all plans, strategies, proposals, schemes and investment decisions:-

“The natural and built environment of rural areas should be promoted by:

- Maintaining and enhancing the character of landscapes and settlements;*
- Maintaining and enhancing the quantity and quality of biodiversity and habitat;*
- Maintaining and enhancing the tranquillity of open countryside and rural areas;*
- The efficient and prudent management of natural and man-made resources.”*

(Recommendation 3.9, DP7: Safeguard Rural Areas)

and

“The protection of environmental quality (including air and water), should be promoted, especially by:

- Understanding and respecting the character of areas and their distinctiveness...*
- Promoting physical exercise through opportunities for sport and formal/informal recreation, walking and cycling;*

- *Improving road safety, managing traffic growth and mitigating the impacts of road traffic on air quality, noise and health.*
(Recommendation 3.8, DP6: Promote Environmental Quality)

6.3. Draft RSS Policy DP1 (Regional Development Principles) also requires that

“proposals & schemes must demonstrate...respect for their physical and natural setting.”

And NWRA’s latest version of Policy RT4: Management and Maintenance of the Highway Network requires that

“In rural areas, particular emphasis should be given to maintaining the tranquillity of the countryside. Where safety is not compromised, highway engineering measures should reflect local character, including landscape and conservation.”

6.4. This scheme utterly fails to respect, maintain or enhance the character and tranquillity of the landscape to the North of Lancaster. As LCC acknowledge in their Appraisal Summary Table, the landscape effect of the road would be “moderate to large adverse.” The high bridges and deep cuttings across the grain of the drumlin field topography will only exacerbate the strongly negative landscape impacts of constructing a dual carriageway through rolling countryside, shattering the tranquillity the area currently enjoys. There would also be negative impacts on the quality and quantity of biodiversity, and it is likely that more efficient and prudent use of resources could be achieved through the examination and delivery of alternative solutions that did not rely upon road building as a first resort.

6.5. The canal towpath and affected footpaths would cease to be attractive routes for recreational walking and cycling, as the tranquil beauty of their surroundings will have been lost, and the negative impact on Lancaster and Morecambe College is likely to lead to the loss of opportunities for formal recreation and sport as well. TSLM and ESTA will present evidence to demonstrate that this scheme would undermine the objectives of improving road safety and managing traffic growth, and will worsen the impacts of road traffic on noise and air quality.

6.6. The EiP Panel Report also recommended that the headline policy on environmental protection be strengthened to read:-

“Plans, strategies, proposals and schemes should deliver an integrated approach to conserving and enhancing the landscape, natural environment, historic environment and woodlands of the region.

Where proposals and schemes affect the region’s landscape, natural or historic environment or woodland assets, prospective developers and/or local authorities should first seek to avoid loss of or damage to the assets,

then seek to mitigate any unavoidable damage and where appropriate compensate for loss or damage through offsetting actions...

[EM1A] Plans, strategies, proposals and schemes should identify, protect, maintain and enhance natural, historic and other distinctive features that contribute to the character of landscapes and places within the North West"

(Recommendation 8.2, EM1: Integrated Enhancement and Protection of the Region's Environmental Assets)

The original Policy EM1 in draft RSS makes similar requirements.

6.7. The promoters of this scheme have not taken an integrated approach, or indeed any approach at all, to enhancing and conserving the landscape and natural environment, and no attempt has been made to identify, protect, maintain or enhance the distinctive features of this area. When the environmental damage that would have been caused by the Western route, their preferred alignment, was shown to be too great for that route to be feasible, they turned immediately to the Northern route, which also has large adverse environmental impacts.

6.8. At no point has a solution that does not involve large-scale environmental damage been given serious consideration. No attempt has been made to seek to avoid damage to environmental assets (for example, by a thorough investigation of solutions that did not require a major highway to be constructed in open countryside), and only very inadequate gestures towards mitigation have been made.

6.9. RPG 13 places very similar requirements on developers and planning authorities, most significantly:-

"ensure the integration of new development with surrounding land use taking into account the landscape character, setting, the quality, distinctiveness and heritage of the environment and the use of sympathetic materials;" (Policy DP3)

"Chester, Carlisle, Lancaster and Preston should be regarded as historic towns requiring continual conservation with sensitive integration of new development, where needed, plus a regard for maintaining and enhancing their setting." (Policy SD3)

"Planning authorities and other agencies in their plans, policies and proposals should:

- *promote positive management of the Region's natural, built and historic environment and protect it from development likely to cause harm (such as further loss or fragmentation of tranquil areas, including by light or noise pollution) as identified in the Regional Landscape Strategy...*

- *integrate a site-based approach for development planning with a more broadly based concern for biodiversity and other environmental issues” (Policy ER1)*

“It is also very important that the rich diversity of landscapes and their settings throughout the North West be conserved and enhanced. Planning authorities and other agencies, in their plans, policies, and proposals, will conserve and enhance landscapes and their settings which are of regional and sub-regional importance (highlighted by the Countryside Agency’s Countryside Character and English Nature’s Natural Areas initiatives), but not covered by national designations, by:

- *seeking to restore those which have become degraded;*
- *ensuring that all new development makes every effort to avoid damage to the landscape and, where possible, enhances it;*
- *seeking to provide adequate mitigatory measures where avoidance of damage is impossible or impractical;*
- *ensuring that, where mitigation is insufficient, equivalent compensatory landscape enhancement is provided elsewhere to ensure no net loss.”*

(Policy ER2)

6.10. The arguments made above apply equally here. Furthermore, the scheme would evidently cause loss and fragmentation of tranquil areas, and would degrade rather than maintain or enhance the setting of the historic city of Lancaster. It has not been demonstrated that the damage that would be caused is in fact impossible or impractical to avoid, mitigatory measures are insufficient and no equivalent compensatory landscape enhancement is proposed to be provided elsewhere.

6.11. The Structure Plan further reinforces the importance of conserving landscapes and the wider countryside, and of maintaining and enhancing the setting of Lancaster. Policy 20 states that:-

“Development must be appropriate to the landscape character type within which it is situated and contribute to its conservation, enhancement or restoration or the creation of appropriate new features.

Proposals will be assessed in relation to:

- (a) local distinctiveness;*
- (b) the condition of the landscape;*
- (c) visual intrusion...*
- (f) public access and community value of the landscape;*
- (g) historic patterns and attributes of the landscape;*
- (h) landscape biodiversity and ecological networks;*
- (i) semi-natural habitats characteristic of the landscape type;*
- (j) remoteness and tranquillity;*
- (k) noise and light pollution.”*

The supporting text further notes that:-

“6.42 The policy takes an account of all Lancashire’s landscapes, not just those with special designations. Local distinctiveness is defined by the

special characteristics, features and patterns which make a landscape instantly recognisable to those who live and work in it. Change will not be resisted on principle but should be appropriate to the landscape character.”

- 6.12. The Landscape Worksheet in the Environmental Statement for this scheme notes that virtually all the features of the landscape in all the areas the route covers are either important or highly important locally or regionally. In relation to all the criteria in Policy 20 above, this scheme should not be approved. It will be particularly detrimental to Target 20.1, which includes “*No net loss of hedgerows through development, 2001-16*”.
- 6.13. Furthermore, Policy 21 requires mitigation and compensation where “*unavoidable damage*” occurs, to ensure no net loss of heritage assets, and target 21.1 is for “*No net loss of heritage assets, networks or settings, 2001-2016.*” There will evidently be a net loss of environmental heritage assets in this case, and there is no evidence to demonstrate that this loss is indeed unavoidable.
- 6.14. Policy 23 states that:-
- “The open character of the undeveloped coastal zone will be maintained and the nature conservation interest within it will be conserved or enhanced”*
- The low coastal drumlins through which most of the route passes are included in this zone. This scheme would severely compromise the open character of the zone for a considerable distance either side of the route itself, due to the impacts of noise and light pollution and the very significant visual intrusion of the bridges, embankments and cuttings.
- 6.15. The Local Plan further reinforces the inappropriateness of this scheme, stating that it proposes to:-
- *“closely control development affecting areas of nature conservation importance, protected species, the coast and other sensitive areas;*
 - *protect landscape essential to the setting of Lancaster, Morecambe and Heysham;*
 - *develop and safeguard Green Corridors along the River Lune, Lancaster Canal and rural cycle paths; and*
 - *maintain a long term green belt boundary on the north side of Lancaster.”*
- 6.16. One of the key policies with which it intends to deliver these proposals is Policy E4, which states that:-

“Within the area identified as countryside on the local plan proposals map, development will only be permitted where it:

- *Is in scale and keeping with the character and natural beauty of the landscape;*
- *Is appropriate to its surroundings in terms of siting, scale, design, materials, external appearance and landscaping;*
- *Would not result in a significant adverse effect on nature conservation or geological interests...*

The scheme runs through land identified as countryside for almost its entire length, and does not comply with any of the criteria in the policy noted above. It undermines all of the City Council's proposals noted above.

6.17. The emerging draft LDF Core Strategy also makes it clear that this is not an appropriate development in the countryside. Policy SC3 includes a commitment to

"Protect, conserve and enhance important rural landscapes and the distinctive characteristics of rural settlements"

It notes that

"Lancaster District has substantial environmental capital...[which includes] the settings of Lancaster and Morecambe including the North Lancashire Green Belt and the Lune Valley." (para 6.1)

And that

"6.5 Much of the District's environment is under threat. Urban fringe areas need upgrading...Low grade development and sprawl, traffic, the pressures on modern agriculture and land-management, habitat loss and damage and air, water, ground and light pollution all erode environmental quality."

"6.8 The Core Strategy must safeguard and enhance environmental capital, protect finite resources, manage threats such as climate change and flooding, prevent erosion of environmental quality through low grade development and sprawl, poor land management and pollution. Real improvements in environmental quality require a focus on minimising any adverse development effects and securing gains for the environment."

6.18. It intends to deliver this largely through Policy E1, which includes the following relevant provisions:-

"The Council will safeguard and enhance the District's Environmental Capital by:...

- *Protecting the North Lancashire Green Belt;*
- *Encouraging development which makes the minimum and most efficient use of finite natural resources including land, buildings soil, non-renewable energy, water and raw materials;*

- *Resisting development in places where environmental risks including from flooding cannot be properly managed;*
- *Taking full account of the needs and wishes of communities and, in particular, vulnerable and disadvantaged groups such as the elderly, young people and people with disabilities;*
- *Using all practicable means to make places more pleasant and liveable with safer, cleaner, more legible and more attractive streets and spaces;*
- *Resisting development which would have a detrimental effect on environmental quality and public amenity;...*
- *Protecting valued landscapes from inappropriate development.”*

6.19. The construction of this scheme would undermine or conflict with all of these imperatives. It would damage the Green Belt (which will be dealt with in greater detail below); it cannot claim to make the minimum use of resources because alternatives requiring lower resource use have not been properly investigated; risks from flooding do not appear to be adequately dealt with, particularly given the increased flood risk brought about by the impacts of climate change; it ignores the stated needs and wishes of the overwhelming majority of the community; it will not make any place more pleasant and liveable, while making the places along the route much less so; it will have significantly detrimental effects on environmental quality and public amenity; and it will damage valued landscapes.

7. Green Infrastructure, urban fringe and recreation

7.1. Green Infrastructure in and around towns and cities is acquiring increasing prominence in the development plan. It can be defined as

“a planned network of multi-functional green spaces and interconnecting links that is designed, developed and managed to meet the environmental, social and economic needs of communities... It is set within, and contributes to, a high quality natural and built environment and is required to enhance that quality of life for present and future residents and visitors, and to deliver “liveability” for sustainable communities.” (RSS EiP Recommendation 8.3, based on GONW statement to the Panel)

7.2. By increasing noise, light, and air pollution, visual intrusion and impact on amenity value, this scheme would degrade the Green Infrastructure value of:-

- the canal towpath,
- the footpaths and lanes crossed or in close proximity to the road,
- the swathe of Green Belt countryside between the urban edge and the road, and
- the Green Belt countryside beyond the road for some considerable distance

It would also have an adverse impact on the recreation and sport functions of the Lancaster and Morecambe College.

This contradicts a number of development plan policies:-

7.3. The RSS EiP Panel Report recommends that:-

“LDF policy should identify and protect existing green infrastructure and seek to deliver improvements where possible” (Recommendation 8.3)

7.4. Draft RSS Policy EM3 requires proposals and schemes to *“Identify, promote and deliver multi-purpose networks of greenspace”*, and Policy RDF1 requires authorities to *“Promote environmental excellence, green infrastructure and good environmental management.”*

7.5. RPG Policy UR10 states that

“Local authorities and others should also encourage patterns of development which maintain and improve air quality and minimise the impact of light and noise pollution upon the public realm... Tranquil zones should be identified, sustained and extended as part of the plans to enhance urban greenspace networks.”

7.6. This scheme would undermine all of these regional these policy statements.

7.7. Local Plan Policy E30 states that the Council will protect and enhance identified green corridors, including the Lancaster Canal, and notes in para 5.6.8 that

“The City Council will pay particular regard to development proposals close to the green corridors and will seek to resist applications which would affect their role in providing quiet enjoyment or as a haven for wildlife.”

Later, the plan notes that:

“The Lancaster Canal is highly valued by visitors and residents for its quiet attractions and the unusual and contrasting views it offers both within the urban areas of Lancaster and Carnforth and in the open countryside.” (para 6.3.8), and that

“Initiatives will therefore concentrate on improving the towpath for walking and cycling, promoting opportunities for better pedestrian links to the canal towpath and between the canal and surrounding areas.” (para 6.3.10)

7.8. The draft emerging LDF Core Strategy also commits the Council (in Policy SC8) to protecting and enhancing a greenspace and informal

recreation network based around identified areas, which again includes the canal.

7.9. This scheme would cross the canal on a bridge visible (and audible) for hundreds of metres, after the canal enters open countryside. It would have a highly adverse effect on the tranquillity of and views from the towpath, and on its capacity for use for “quiet attractions” for walkers and cyclists.

7.10. RPG13 Policy UR11 states that change in the urban fringe should have

“an emphasis on improving their visual attractiveness as urban setting/rural edge, and their recreational value and biodiversity”, and that

“new developments on the edge of urban areas contribute significantly towards enhancing the character, appearance and environmental capital of the urban fringe, improving the setting of towns and consolidating greenspace networks.”

The adverse environmental effects of the road contravene this policy by damaging the landscape, character, amenity and recreational value, visual attractiveness, air quality, tranquillity and biodiversity potential of the urban fringe.

7.11. The Local Plan and emerging draft LDF Core Strategy both support the ongoing development and growth of Lancaster and Morecambe College. The Local Plan also states that

“the College grounds are an important urban green space providing a clear separation between the urban areas of Lancaster and Morecambe. The sports pitches are also a valuable recreational resource which the Council believes should be protected from development.”

While the LDF states in Policy SC8 that:

“Existing sports facilities and green spaces will be retained unless identified as no longer capable of meeting identified needs through the Open Space and Recreation Study.”

However, evidence from the College suggests that the development of this scheme could have a significant detrimental effect on its ability to continue to operate. The road would eat into the College’s fields, significantly reducing an important green lung, and separate the College buildings from the playing fields. It would therefore have an adverse impact on the sport and recreation capacity in the heart of Lancaster and Morecambe.

8. Reducing CO2 emissions and climate change

8.1. Climate change has risen up the policy agenda in recent years and is now recognised as the most serious threat facing this country. This imperative is increasingly recognised in the development plan, in particular through its most recent iteration. One of the key objectives in draft RSS is “fewer emissions of key greenhouse gases” (para 4.2) and Policy DP1 states that climate change should be tackled as “an urgent regional priority”. Despite this, however, the RSS EiP Panel Report stated that:-

“the Strategy does not give sufficient emphasis to climate change. The Panel regard this as a serious flaw in the draft RSS under consideration. It is important to ensure that the whole of the Plan is suffused with the climate change imperative, but as indicated earlier, the Panel also believe that a specific policy statement would give prominence to the issue.

This was generally accepted at the EiP, and there was little, if any, dissent from the idea that this aspect of the Strategy should be strengthened.”
(para 3.43 & 3.44)

8.2. The EiP was conducted shortly after the publication of the Stern report into the Economics of Climate Change, and the draft supplement to PPS1: Planning and Climate Change was published during the course of the Examination. Since then, the Government has published a draft Climate Change Bill. There is widespread consensus that greenhouse gas emissions, and particularly carbon dioxide, must be dramatically and urgently reduced, from all sources.

8.3. The RSS EiP Report recommends as a spatial development principle, (Recommendation 3.10, DP8) that

“As an urgent regional priority, plans, strategies, proposals, schemes and investment decisions should:

- *Contribute to the regional policy to reduce CO2 emissions from all sources, including energy generation and supply, buildings and transport by 20% below 1990 levels by 2010 and 60% below 1990 levels by 2050”*

As an example of how this policy could be implemented, it suggests:-

“Reducing traffic growth, promoting walking, cycling and public transport”

8.4. This scheme is obviously in direct contradiction to this policy, given that LCC acknowledge that it would increase carbon dioxide emissions (by at least 23,500 tonnes per year), increase traffic growth, and do nothing to promote walking, cycling and public transport.

8.5. The Panel also re-emphasises the need for the climate change imperative (and the other core principles represented by DP1-8) to be

embedded throughout RSS (and all other development plan documents) at a number of relevant points throughout its report:-

- In Recommendation 7.3 they require that the Regional Transport Strategy explicitly “*embraces the spatial principles...set out above*” and that the RTS objectives include securing “*a shift towards the use of more sustainable modes of transport*”
- In para 7.76 they state that “*the priorities listed in Policy RT9 make no reference to securing a shift toward more sustainable modes of transport; or reducing the adverse environmental impacts of transport; or improving access; or easing congestion. We consider these to be important factors, which should guide future investment decisions.*”
- In para 7.82 (as quoted in para 5.10 above) they state that they do not consider it appropriate to give more weight to economic than environmental criteria, drawing particular attention to climate change.

8.6. This scheme does not in any way reflect the radical differences in the policy agenda today in comparison with the time when it was first introduced into the planning system, in particular with regard to the urgent issue of climate change. As the Panel Report makes clear, tackling climate change, and in particular reducing carbon emissions, has to be built into all development proposals (as well as plans and strategies) from the outset. Thoroughly examining alternative options for achieving the objectives for this scheme while also reducing, rather than increasing, carbon dioxide emissions would be necessary in order for LCC to comply with this nationally and internationally important element of the development plan.

8.7. RPG13 notes that “*Further research is needed on the implications of climate change for the North West to inform a future review of RPG.*” (para 1.6). Much of the evidence required from such research is now available, and has indeed informed the recommends made in the recent RSS EiP Panel report.

RPG13 also recognises that

“The North West of England is a major emitter of carbon dioxide and other greenhouse gases and must play a full part in meeting Government targets for the reduction of such emissions.” (para 8.2)

This scheme would contribute towards undermining, rather than delivering, this policy intention.

9. Green Belt policy

9.1. In their Statement of Case, LCC acknowledge that this scheme constitutes inappropriate development in the Green Belt according to

PPG2. Permission for inappropriate development in the Green Belt requires that exceptional circumstances exist to justify such permission.

- 9.2. In this case in order for exceptional circumstances to be demonstrated, it would need to be proven that both:-
- a) The road was necessary, ie that all other possible solutions to the specific transport problems identified had been thoroughly examined and would not, in connection with other relevant policies and measures, be able to deliver the aims of the development plan; and
 - b) The benefits of the road would very significantly outweigh the costs (both monetary and non-monetary) of its construction, maintenance and use for a significant period of time
- 9.3. LCC have not even attempted to demonstrate that (a) is the case. Evidence from ESTA and TSLM demonstrates that (b) is not the case. Therefore this scheme should not be given permission to proceed.
- 9.4. The development plan adds weight to the general national presumption against inappropriate development in the Green Belt:-
- 9.5. Policy 6 of the Structure Plan states that the general extent of the Green Belt in Lancashire will be maintained. While it may be argued that this scheme would not affect the general extent, the route is not removed from the Green Belt for the purposes of inappropriate development in the Local Plan or emerging draft LDF. It gives rise to the likelihood of infill development and further development pressures on the Green Belt, damaging the countryside in the urban/rural fringe and allowing Morecambe and Lancaster to coalesce.
- 9.6. The scheme would compromise the ability of the North Lancashire Green Belt to fulfil its statutory purposes. The North Lancashire Green Belt is very small, and the amount of land taken by the road and subsequent infill pressures caused by the road would have a significant impact. The road would effectively urbanise a large chunk of Green Belt, making it unable to fulfil its purposes even if it did not encourage substantial infill development.
- 9.7. The Local Plan notes in its introduction that the main proposals of the Structure Plan for the Lancaster District include
- “Green Belt protection for the open land located to the south of Carnforth and the north of Lancaster and Morecambe”* (para 1.1.6),
- and that one of the main elements of the local Development Strategy is
- “protection of the North Lancashire Green Belt, the Arnside/Silverdale and Forest of Bowland Areas of Outstanding Natural Beauty, the District's countryside and its nature conservation sites from development”* (para 1.1.16)

9.8. It intends to deliver this by applying Policy E1:-

“The North Lancashire Green Belt is established within the boundaries set out on the local plan proposals map.

Both central Government guidance expressed in Planning Policy Guidance Note 2 - Green Belts, and the Lancashire Structure Plan, set out the type of development which can and cannot be allowed in the Green Belt. The City Council will strictly apply Structure Plan Policy 4 - Development in Green Belts [this refers to the previous Structure Plan] when determining planning applications within the North Lancashire Green Belt and resist proposals for inappropriate development.”

Permitting this scheme would be in direct contradiction of this policy and of the Plan’s stated aims with regard to Green Belt protection.

9.9. The emerging draft LDF Core Strategy adds further emphasis to the need to protect this particular Green Belt. It states in para 4.8 that,

*“The North Lancashire Green Belt is one of England’s newest having been designated in 1991. At 17.3 sq km it is also one of the smallest, comprising less than 3% of the District’s rural area. It safeguards a small but strategic area of countryside which prevents the coalescence of six settlements (Lancaster, Morecambe, Carnforth, Slyne, Hest Bank and Bolton-le-Sands). It is less than 900m wide in places. **Small scale change can therefore have a significant effect on the purpose of the Green Belt** and for this reason, the Green Belt boundary is tight to the urban edge.”* (the author’s emphasis)

9.10. And, in apparent contradiction of its support for this scheme, it continues (in para 4.9):-

“The Regional Spatial Strategy states that there shall be no review of the Green Belt until 2011. The Council is not aware of any strategic development needs which could not be sustainably accommodated outside the Green Belt... there will be no need, either for a review, or for changes to the Green Belt during the Strategy period.”

9.11. And it states in Policy E1 that

“The Council will safeguard and enhance the District’s Environmental Capital by:...

- *Protecting the North Lancashire Green Belt*

9.12. The alignment of this route would do considerable damage to the purposes and uses of the Green Belt, while any benefits the route may provide are in substantial doubt and its need remains unproven. Development Plan Green Belt policies therefore require that it be rejected.

10. Protecting air and water quality; preventing noise & light pollution

10.1. The development plan makes clear statements about the need to protect air and water quality and to prevent noise and light pollution. Evidence from ESTA and TSLM demonstrates that this scheme would result in a worsening of air quality. LCC acknowledge in their Appraisal Summary Table that the scheme would have an adverse impact on the water environment. LCC assess the noise impacts as being moderately beneficial, although their description of qualitative impacts casts doubt on this, and ESTA challenges this claim. It is not questioned that a fully-lit dual carriageway featuring high-level bridges and embankments cutting through open countryside would increase light pollution.

10.2. The scheme would therefore contravene RPG13 Policy UR10, which states that:-

“Local authorities and others should also encourage patterns of development which maintain and improve air quality and minimise the impact of light and noise pollution upon the public realm.”

10.3. It also fails to support Policy EQ2, which requires development and local transport plans to

“include air quality criteria and proposals to reduce or reverse the growth in road traffic and encourage greater use of public transport, walking and cycling”

And for

“local authorities to work together with their partners to tackle poor air quality and reduce emissions”

10.4. Policy EQ3 (Water Quality) is not supported as the scheme fails to ensure that it would *“not unnecessarily add to diffuse pollution”*. Only the first of the multiple SUDS ponds is lined, and all at the western section encroach on the flood risk area.

10.5. Structure Plan Policy 22 states that

“Development that is likely to lead to an adverse impact on groundwater and surface water in terms of their quantity, quality and the ecological features they support will not be permitted.”

The increased, polluted run-off from a dual carriageway, together with the impact of the deep cuttings on the water table, land take in the main flood risk area, and crossings over existing water courses, would, as acknowledged by LCC have an adverse impact on groundwater and/or surface water, which puts this scheme in contravention of this policy.

10.6. The Local Plan states that

“Development proposals which would affect an existing watercourse will only be permitted where:

- *Water quality would be maintained or improved...”* (Policy 7)

And that

“The City Council will seek to maintain or improve air quality wherever possible by resisting development which would result in unnecessary journeys.” (para 5.2.7)

This scheme would undermine both of these policies, by inducing and generating new journeys that are not necessary for the regeneration and economic growth of Morecambe and Heysham, and by failing to maintain the water quality in the watercourses it would cross.

- 10.7. It also contradicts the Council's own LTP guidance that traffic in Lancaster should reduce by 10% p.a. over 5 years in order to comply with the statutory obligations for the Lancaster AQMA in respect of PM and NO₂.

11. Protecting biodiversity

- 11.1. LCC acknowledge that this scheme would lead to at least a slight adverse impact on biodiversity, although this assessment may be on the generous side. The development plan requires high levels of protection for biodiversity, which this scheme proposal fails to give sufficient weight to.

- 11.2. The RSS EiP Panel Report recommends that the RSS headline policy on protecting and enhancing the environment should include the following text on biodiversity:-

“Plans, strategies, proposals and schemes should seek to deliver a ‘step-change’ increase in the region’s biodiversity resources by contributing to the delivery of national, regional and local biodiversity objectives and targets for maintaining, restoring and expanding habitats and species populations.” (EM1B)

- 11.3. The draft RSS also calls for a “step-change increase” in biodiversity resources, and for the habitat and species targets of the Local Biodiversity Action Plans to be delivered (policy EM1)

Even if this scheme were only to have a slight adverse impact on biodiversity, it would still not comply with this policy, which requires proposals and schemes to actively increase the quality and quantity of biodiversity in the region.

11.4. RPG13 Policy ER5 requires authorities to afford the strongest levels of protection to statutory protected species, several of which, including bats, otters and fungi, would be negatively impacted by the scheme. It also requires the proposals of planning authorities to

“ensure that the overall nature conservation resource in the North West is protected and enriched through conservation, restoration and re-establishment of key resources by:...

- *ensuring that there is no net loss in the value of other biodiversity resources in the Region;*
- *returning key biodiversity resources to viable levels by promoting the restoration and re-establishment of habitats and species populations in accordance with the targets set out in the UK and Local Biodiversity Action Plans.”*

This scheme does not give due significance to the Biodiversity Action Plan targets, or take steps to ensure no net loss of biodiversity resources. It also undermines Policy ER6 (Woodlands), which has a target of increased tree cover by at least 15% by 2020, by destroying veteran trees that are not substitutable in any but the very long term.

11.5. The Local Plan states in Policy E12 that

“In determining development proposals, the Council will ensure that any impacts upon wildlife, wildlife habitats, protected species and important geological features are taken into full account. Where development is permitted, developers will be required to minimise any adverse impact and/or create and provide for the appropriate management of compensatory wildlife habitats.”

It is far from clear that this scheme is consistent with this policy. And, given its impact on 21 veteran trees that cannot be replaced or substituted except in the very long term, it is certainly not consistent with Policy E13, which states that

“Development which would result in a significant adverse effect on, or involve the loss of...significant trees... will not be permitted.”

11.6. Policy E18 states that:

“Development likely to damage or destroy bats, badgers or other protected species or their habitats will not be permitted unless the need for development demonstrably outweighs the need to protect the species.”

LCC acknowledge that bats are one of the species that would be adversely affected, even after any mitigation. As noted above, the need for the road has not been demonstrated, as the possibility for alternative solutions to achieve the scheme objectives has not been examined. The need for the road has therefore only been assumed, contrary to Policy 18.

12. Protecting against flood risk

12.1. Flood risk has risen on the agenda recently with the increased concern about the impacts of climate change. While we acknowledge that the Environment Agency have withdrawn their objection to the scheme with regard to flood risk, recent measurements taken by Halton residents indicate that Halcrow's flood risk assessment may not be robust, and that a more precautionary approach should be adopted. The development plan supports this concern and explicitly diverts development away from areas of high flood risk.

12.2. The RSS EiP Panel Report calls for Policy EM5 be amended (Recommendation 8.5) to include the requirement that

"Allocations of land for development should comply with the sequential test in PPS25. Departures from this should only be proposed in exceptional cases where suitable land at lower risk of flooding is not available and the benefits of development outweigh the risks from flooding;"

Given that the need for the road has not been demonstrated, as alternatives have not been adequately examined, it seems that this proposal may fall foul of this policy imperative.

12.3. RPG13 Policy ER8 recognises the Lower Lune Valley as an area of high flood risk where the precautionary principle must particularly be applied. It also states that authorities should:-

- *"ensure built development is wholly exceptional and limited to essential transport and utilities infrastructure in areas of functional flood plains..."*
- *take account of the longer-term impacts of climate change."*

This imperative is echoed in the Structure Plan (para 6.2.21). There is no evidence that this scheme represents essential transport infrastructure. It is not clear that the flood risk assessment has adequately taken into account the increasing frequency and intensity of extreme weather events likely to be caused by climate change.

12.4. Local Plan Policy E11 states that:-

"Development proposals within areas at risk of flooding will only be permitted where;

- *Appropriate flood protection measures are already in place; or*
- *These will be provided without adverse environmental impacts."*

As noted above, it is not clear that the flood protection measures that exist or are planned would be adequate in the longer term.

13. Promoting regeneration and economic growth

13.1. The scheme's promoters have claimed that completion of the Heysham-M6 Link Road would support the local economy and have significant economic regeneration benefits. This would be consistent with the development plan. However, the evidence presented by TSLM casts considerable doubt on the evidence base for and veracity of these claims. We will not repeat TSLM's evidence here, but do highlight that evidence in order to counter LCC's claims.

13.2. There is no evidence that the economic and regeneration benefits that are claimed for this scheme could not be achieved by other means. It is quite plausible that a new road connecting the motorway with the coast could encourage more coastal dwellers to commute to jobs farther away rather than have the effect of bringing new employment to them. Whereas, if more sustainable, long-term, multi-modal solutions were examined and implemented, as required by national guidance and the development plan, there is the possibility they could be more successful in promoting regeneration and economic growth

13.3. Given this, and the evidence presented by TSLM on this subject, the decision to take this scheme forward before a thorough examination of all possible solutions to the transport problems of Lancaster District is not consistent with the development plan. In particular:-

13.4. The RSS EiP Panel Report recommends (Recommendation 5.1) including the following text in the economic objectives for RSS:-

"The RSS supports the economic programme put forward in the Regional Economic Strategy. It seeks generally to strengthen and regenerate the regional economy, address problems of worklessness, and reduce the need to travel, in line with the overarching spatial principles set out in Policy DP1."

There is no sound evidence that this scheme will address worklessness, and it will certainly not reduce the need to travel. As noted in other sections of this proof, it is not in line with the principles set out in Policy DP1.

13.5. The Panel Report also recommends the following addition to Policy W1:-

"Realise the opportunities for sustainable development to increase the prosperity of Carlisle and Lancaster, and to regenerate the economies of Barrow and the coastal towns of West Cumbria."

However, this scheme would not contribute to this policy. Its failure to conform to the spatial development principles set out in the Panel's recommended Policy DP1 marks it out by definition as an example of development that is not sustainable. Other transport interventions that are

sustainable may well contribute to realising the opportunities to increase the prosperity of Lancaster, but these have not as yet undergone a thorough assessment. Particularly relevant here in the context of the unsustainability of the scheme are that:-

- It would increase traffic growth, and not in any way contribute to reducing traffic or managing travel demand
- It would increase carbon emissions in a period when dramatic cuts in carbon emissions are required for all sectors
- It would not promote modal shift, and will in fact encourage 'reverse modal shift' at least in the case of freight
- It would not solve the local transport problems, which revolve around congestion caused by local journeys

13.6. NWRA's latest version of RSS paragraph 10.8 states that:-

"Successful urban regeneration and economic development requires an integrated approach to public transport, walking and cycling whilst at the same time discouraging car use and improving public transport accessibility."

This scheme does not comply with any of these criteria, and may therefore be considered, according to the RSS, not to contribute to successful urban regeneration and economic development.

13.7. Draft RSS Policy CNL4 requires plans and strategies to:

- *"Secure the regeneration of Morecambe;...*
- *Support the role of the port of Heysham in line with Policy RT4"* [which is replaced by recommended policy RT6]

We refer to TSLM's evidence in order to counter the claim that the scheme would be consistent with the first bullet point above.

13.8. As noted elsewhere in this proof, NWRA's latest version of Policy RT6 states that

"There should be a presumption in favour of making best use of existing infrastructure where possible, and opportunities to secure the transfer of port-related freight from road to rail or water should be explored."

The supporting text goes on to state that:-

"10.24 Improvements that include measures to assist the transfer of port traffic from road to rail and/or water will be necessary to maintain the region's continued economic competitiveness. Land-side surface access strategies should include proposals that maximise opportunities for shifting traffic away from road and onto rail and water, and to minimise the adverse impact of heavy goods vehicles on local communities and the natural environment. "

Therefore, while this scheme would support the role of the Port of Heysham, it would not do so in line with Policy RT6, and would therefore not be consistent with the second bullet point above.

13.9. The scheme does not support the economic development policies of RPG13. In particular:

- It does not support EC1, in that it fails to take account of the relevant needs, opportunities and availability of skilled labour, relying instead purely on the assumption that better road transport links to the motorway will be necessary and sufficient to regenerate Morecambe's economy, as well as not supporting "*a greater shift of freight from road to rail and water*"
- It does not support EC3 because the scheme does not provide improved access to a rapidly expanding university, Lancaster Infirmary, or to the only recognised Regional Investment Site in the District at Bailrigg. Knowledge-based industries, and the education and technology systems that support them, do not require the same hard infrastructure as required by older industry. Lancaster has a significant number of existing businesses associated with modern technology. Future regeneration will depend on supporting growth in this area. Road building does not necessarily support emerging knowledge based industries.
- It does not support EC4 as it fails to address the transport problems associated with Bailrigg Science Park & other sites relevant to business clustering, eg Luneside, the former Reebok buildings.
- It does not support UR1 because, as noted above, it would not effectively revive the local economy

13.10. The scheme does not support Structure Plan policies, for the reasons referred to above. In particular, it would not support:-

- Policy 2, as it would fail to contribute significantly to enhancing the regeneration of Morecambe and Heysham. Impact of equivalent spend on alternatives should have been fully investigated
- Policy 14, as there is no evidence that the road would contribute to the development of business, industrial, storage & distribution land in Morecambe. Lancaster Business Park is still virtually empty, with empty plots and empty buildings, despite having better access to the motorway than anywhere in Morecambe would have after the road is built.
- Policy 15, as the road would have no impact on the Bailrigg site, and any link, if it were proved to be necessary following the exhaustive testing of alternatives required by government policy, should surely serve this major site. The Highways Agency at the time of writing has a

holding direction on the Bailrigg site due to fears that it would cause significant congestion at M6 junction 33. If any highway improvements are needed, they should be planned in conjunction with other significant developments in the District.

14. Local Transport Plan

14.1. Although not a part of the development plan, the Local Transport Plan (LTP) does of course have a significant bearing on transport issues in Lancaster District. While the Heysham-M6 Link Road is specifically mentioned in the LTP, as with the development plan its construction fails to contribute to, or even undermines, many of the key objectives, aims and priorities of the LTP.

14.2. The LTP has seven key objectives:-

- reduce road casualties
- improve access to jobs and services
- improve air quality
- improve the condition of transport infrastructure
- reduce delays on journeys
- increase journeys by bus and rail
- increase active travel

As noted above and demonstrated in other evidence from ESTA and TSLM, this scheme will not contribute significantly to any of these objectives, and will indeed undermine the objectives relating to air quality, bus, rail and active travel.

14.3. The priorities for LTP2 were set following “extensive consultation”, and are outlined in section 2.3, pp 44-45 of LTP2. They are:

- improving public transport
- accessibility of local amenities
- public transport needs stronger co-ordination to be most effective,
- improving pedestrian facilities
- road safety
- business and school travel plans
- personal security on public transport.

This list of priorities, none of which will be delivered by this scheme, is followed by the acknowledgement that “there were also clear messages from the public that the following measures should be set lower priorities for the LTP:

- new road links
- congestion charging
- workplace parking charging.”

It is surely inappropriate to spend such a vast sum of money (currently £156 million including optimism bias, and likely to rise further), on a

scheme that is avowedly a low priority for all relevant local, regional and national stakeholders, and that is unlikely to contribute significantly to LTP or development plan objectives.

- 14.4. In Table 2.5, LCC boast about “addressing our issues effectively and imaginatively”, and there are some impressive, imaginative and effective initiatives in this table. Unfortunately, there has been a failure of imagination with regard to this scheme, as a road-based solution has been assumed from the outset, with other, more sustainable interventions being seen as non-essential “add-ons” rather than components in an integrated solution. An effective and imaginative solution would have been to assess the viability of a wide range of potential solutions to the identified transport problems in the Lancaster area, with a road featuring as a component of some, but not all, solutions considered.
- 14.5. The LTP notes in para 4.2.3 that “the highway network is highly used for local movements, with the majority of journeys to work being intra-district.” Combined with the objectives and priorities noted above, this seems to suggest that a far more effective use of resources than this scheme would be to develop an integrated suite of transport interventions to reduce local traffic levels, thereby achieving the aims of the LTP, the development plan, and this scheme, in a far more sustainable manner. LCC has not demonstrated that this is not a viable solution. In para 4.2.5, and Table 4.2.14, a number of unsubstantiated assertions about the impact that this scheme would have are made. It is our contention that these impacts will not be delivered by this scheme (with the exception of reduced delays on journey to Heysham Port), and that other solutions to deliver these benefits must be thoroughly investigated as a matter of urgency.
- 14.6. The LTP notes on p 219, with reference to the regional prioritisation process, that “*there is concern that the process does favour larger schemes and does not take full account of local priorities. The process has been undertaken on a short timescale and is based on very limited data and there is a need for further detailed consideration of some schemes.*” We would agree that this is the case and, although it is presumably not intended to apply to this scheme in this instance, we would contend that it does, in particular in terms of whether the scheme objectives could be achieved by other, more sustainable means.
- 14.7. The claims made for the scheme on pp 219-221 are addressed elsewhere in this proof and in TSLM’s and ESTA’s evidence. The references to Value for Money and Benefit Cost Ratio on p 221 are of course hopelessly inaccurate, given that the estimated cost has hugely increased and the estimated regeneration benefits (in terms of jobs created) have hugely decreased since LTP2 was published.
- 14.8. The SEA non-technical summary (p 295) notes that the Heysham-M6 Link will have “potentially adverse effects on biodiversity, landscape, cultural heritage, water quality, land use, and increased flood risk.” Table

E.0.9 also notes that it could have adverse effects on local air quality and noise. The same table asserts that the route will have positive effects on local air quality, road safety and human health, but this assessment is brought into question by the evidence of ESTA and TSLM. Their evidence also casts doubt on the assessments with regard to social and economic impacts.

15. Conclusions

- 15.1. Even though “The Heysham-M6 Link” is mentioned by name in each development plan document, it can be seen that the vast weight of policy in the development plan is not consistent with the development of this scheme.
- 15.2. The overwhelming difficulty that this scheme faces is that no comprehensive study of alternatives to road building has been conducted. No attempt has been made to take a holistic view, without pre-formed modal assumptions about solutions, of how to achieve the scheme objectives or to solve the transport problems of Lancaster, Morecambe and Heysham.
- 15.3. Therefore no robust case of identified need for the road can be presented. No claims that the need for or benefits of the scheme outweigh the many other policy imperatives can be made. Without being able to demonstrate that the scheme objectives cannot be delivered in any other way, or in a more sustainable way, such claims are impossible to substantiate. Furthermore, TSLM’s evidence indicates that the proposed road is unlikely to achieve the majority of its own stated objectives.
- 15.4. References to this scheme appear throughout the development plan not because it contributes to the aims and intentions of the development plan, nor because it is well aligned with the principles underpinning the plan, nor because it complements and is consistent with the key policies of the plan, nor because it has been arrived at by the processes required by the plan. On the contrary, it appears despite not doing any of these things. It seems to appear simply because for some decades there has been an assumption, untested and unproven, that Lancaster must have a bypass. It appears in the development plan solely as a relic, an anachronistic remnant of a different, outdated way of thinking. This way of thinking remains resolutely uninformed by Government planning policy and Transport Appraisal Guidance, by the ever-evolving development plan, by an objective and scientific evidence base, or by the changed policy context.
- 15.5. In every particular, other than the specific references to a “Heysham-M6 Link”, it is contrary to and undermines the intentions, aims and policies of the development plan. Given this inconsistency with the development plan in general, these isolated references to the road can only be explained as historical baggage, or as driven by politics rather than policy.

15.6. Given the weight of policy at all levels of the development plan stacked against this scheme, the lack of evidence that it will deliver its objectives, and the failure to examine more sustainable alternatives to the scheme that could effectively deliver those objectives, it should be considered inconsistent with the objectives of the development plan and it would not achieve the desired outcomes.